JUSTICE

OVERVIEW

MISSION

Our mission is to serve the residents of the NWT by:

- Working with community members so that communities are safe and secure;
- Ensuring that all residents have access to justice, including legal aid, the courts, alternatives to the courts and other justice-related services;
- Providing legal services to the Government of the Northwest Territories (GNWT) and its agencies;
- Protecting the rights and freedoms of individuals and groups; and
- Promoting respect for the law and the Constitution of Canada.

GOALS

1. Communities have increased capacity and a role in addressing justice issues.
2. Programs, safe and secure custody, and community supervision are in place to support the rehabilitation of offenders.
3. Communities are safer.
4. Victims of crime are supported and have meaningful roles in the justice system.
5. Families in conflict are supported.
6. All residents have access to justice.

BUDGET (2008/09)

Compensation & Benefits	$41,074,000
Grants & Contributions	$2,230,000
Other O&M	$45,345,000
Amortization	$2,224,000

POSITIONS (2008/09)

Headquarters (HQ)	69 positions
Regional/Other Communities	317 positions

KEY ACTIVITIES

- *Services to Government*
- *Law Enforcement*
- *Legal Aid Services*
- *Courts Services*
- *Community Justice and Corrections*
- *Services to the Public*

STRATEGIC ACTIONS

The Department will take the following actions in support of the government's strategic initiatives:

- *Increase Safety and Security (Building Our Future Initiative);*
- *Implement Phase II of the Framework for Action on Family Violence (Building Our Future Initiative);*
- *Continue to Develop Governance (Managing This Land Initiative); and*
- *Maximize Benefits from Resource Development (Maximizing Opportunities Initiative).*

STRATEGIC ISSUES

Criminal Factors & Demographic Considerations

In 2007 the national crime rate reached its lowest point in 30 years. This reduction in crime was not reflected in the NWT. In 2007 the crime rate in the NWT rose by 6%. This was the highest rate in the NWT in over 30 years and the highest in the country.[1]

Many factors that contribute to high crime rates are present in the NWT. For example, the territory has a higher proportion of people aged 14-34 than Canada as a whole.[2] This age group is most likely to be involved in crime. In 2005/06, the median age of adult offenders in the NWT was 30[3], and the rate of youth crime was the highest in Canada, at about six times the national average.[4]

Lack of education also contributes to increased rates of criminal activity. It is generally accepted that the more education people have, the less likely they are to be involved with crime. Although NWT residents are improving their level of education, achievement is still below the national average. According to the 2006 Census, 23% of the adult population in the NWT did not have a high school diploma; nationally 15% had not graduated from high school.[5]

Alcohol and drug abuse is another contributing factor to crime. The RCMP report that they are seeing an increasing amount of property crime that they believe is drug-related. Alcohol abuse often results in various forms of domestic and community violence, mental health issues, family relationship problems and higher rates of Fetal Alcohol Spectrum Disorder in the population. According to the *2006 Northwest Territories Addictions Report*, although the prevalence of current drinking remained constant at 78%, the prevalence of monthly binge drinking among current drinkers increased from 33% to 45% between 1996 and 2006. In addition, the report highlighted that certain groups, including males, people between the ages of 15 and 24, and those with lower education achievement, were more likely to binge drink.

Although the residential schools that once operated in the NWT are now closed, their effects continue to affect the well-being of subsequent generations. Family conflict, violence, substance abuse and criminal behaviour are, in part, social issues rooted in the traumatic experiences of Aboriginal people at residential schools. This impact, while impossible to measure, is significant and affects most aspects of northern society.

As a result of these and other factors, crime of most types occurs at rates in the NWT that are much higher than in the rest of Canada. Also, Aboriginal people are over-represented in the criminal justice system. In 2005/06, 89% of sentenced offenders in the NWT were Aboriginal, even though only about half of the territories' population is Aboriginal. Over-representation of Aboriginal people in the justice system is true for Canada overall: 24% of sentenced inmates are Aboriginal, even though they represent only 4% of the population of Canada.[6]

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[1] *Crime Statistics in Canada, 2007*, Statistics Canada
[2] NWT Bureau of Statistics
[3] Table 8, *Characteristics of adult offenders admitted to correction services, 2005/2006* , page 22, Adult Correctional Services in Canada 2005/2006, Statistics Canada
[4] *Crime in Canada's North: A Relative Perspective*, NWT Bureau of Statistics, October 2007
[5] *Educational Portrait of Canada, 2006 Census*, Statistics Canada
[6] Table 8, *Characteristics of adult offenders admitted to correction services, 2005/2006* , page 22, Adult Correctional Services in Canada 2005/2006, Statistics Canada

Emerging Issues

The nature of crime in the NWT is changing. In 2007, the increase in violent crime (including offences such as homicide, assault, sexual assault and robbery) resulted in the highest violent crime rate in the NWT in more than 30 years. The rise in violent crime was predominantly due to a 10% increase in assaults and a 31% increase in sexual assault.[7] This increase in violent crime is reflected in the kind of offenders in our correctional facilities. For example, in 2005/06, 63% of all adult admissions to sentenced custody had been charged with crimes of violence.[8] The increase in violent crime also results in more complex trials, which has had an impact on both the NWT Courts and legal aid.

The RCMP report an increase in organized criminal activity, especially activity relating to drugs and gangs. Gangs have a sophisticated network for the importation, production and distribution of drugs, and gang members of these groups have been involved in a wide range of offences.

The RCMP believe that the presence of more money in the NWT economy from large-scale resource development makes it a more attractive market for drug dealers and other organized crime groups. In recent years, both Yellowknife and Hay River – key transportation hubs in the NWT – have seen the influence of these groups and the violence that is associated with their criminal activities. Large-scale resource development from diamond and gas projects is expected to impact on RCMP services and other parts of the justice system. Client-service sectors like maintenance enforcement, legal aid, and legal registries (specifically the land titles section) will see increases in workload, as will the core program areas of corrections, community justice and courts.

Changes to federal legislation can also increase demands on the justice system. Quite often, whether or not we support these changes, it is up to the provinces and territories to implement or deal with the effects of these legislative changes. For example, the federal *Youth Criminal Justice Act* (YCJA), which came into force in 2003, changed the way that youth in conflict with the law are dealt with: serious interventions are reserved for serious crimes, and youth who have committed non-violent and minor crimes are dealt with outside the formal justice system through extrajudicial sanctions (diversions). In the NWT, these changes resulted in a 52% decrease in the number of youth in court [9] and significant increases in youth being dealt with at the local level through community justice committees. It has also meant a decrease in the number of youth in our correctional facilities: from 2003/04 to 2005/06 the average daily count of young offenders in custody declined by 23%..[10]

Impact on the Justice System

The Department must plan for these known and anticipated changes, and their impact on policing, corrections, legal aid, courts, community justice and other justice programs, such as those related to family breakdown and violence.

Family Violence – *Criminal Code* offences, such as spousal assault, sexual assault, criminal harassment and stalking, are various forms of family violence and are reported by the RCMP. Police also report details about the victim and accused, including age, sex and relationship. According to Statistics Canada, during 2006, spousal violence (calculated as a proportion of all violent incidents)

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[7] *Northwest Territories Crime Statistics, 2007*, Statistics Canada

[8] Table 9, *Adult admissions to provincial, territorial and federal sentenced custody by major offence, 2005/2006*, page 23, Adult Correctional Services in Canada 2005/2006, Statistics Canada

[9] Table 3, *Cases before youth courts, Canada, provinces and territories, 2002/2003 to 2006/2007*, page 13, Youth Court Statistics 2006-2007, Statistics Canada

[10] Table 10, *Average daily count of young offenders in sentenced custody, 2003/2004 to 2005/2006*, page 18, Youth Custody and Community Services in Canada 2005/2006, Statistics Canada

was highest in Nunavut (20%), Quebec (20%), Alberta (18%), Prince Edward Island (16%) and NWT (16%). Risk factors associated with spousal violence include unemployment, social isolation, alcohol consumption and common-law unions [11], and these factors are all present in NWT communities.

Increases in violent crime, overcrowding in shelters, and higher-than-average use of emergency protection orders are all indicators of the level of family violence in the NWT.

Courts – As a result of increasing crime rates and case complexity, the number of matters heard by our courts almost doubled from 7,300 in 2001 to over 14,000 in 2007. In response, the judiciary found it necessary to increase the number of sittings and the number of court circuits: between 2002 and 2007, the number of Territorial Court sitting days increased by 20% and the number of Territorial Court circuits increased by 60%.[12] The need for circuit travel depends primarily on the frequency and location of civil and criminal activity, and the need for matters to be heard in a timely fashion.

In 2006/07, the national average amount of time involved in a court case from first to last court appearance (referred to as case processing time) was 237 days. In that year, PEI and the NWT had the shortest case processing times, with 62 and 67 days, respectively.[13] Maintaining our case processing time in the face of increasing workload has resulted in increased pressure on the existing judges, and has heightened the need for a fourth Territorial Court judge.

Legal Aid – Between 2005/06 and 2006/07, there was a 15% increase in approved criminal cases.[14]

Community Justice – In 2007/08, 31 of the NWT's 33 communities were involved in a total of 1,581 community justice activities involving 15,665 people.[15] There were 135 diversions that year. These statistics demonstrate the engagement of communities in justice activities and the impact of legislation like the *Youth Criminal Justice Act*.

Community Policing – Police resources are increasing and will continue to do so in response to pressures associated with large-scale economic developments, meeting community requests for enhanced policing services, and meeting officer safety requirements. In the NWT in 2007, the number of police officers per 100,000 population was 419, the highest per-capita rate in Canada. Since 1999, there has been a 10% increase in the rate.[16] The rates in Nunavut and Yukon are also much higher than in the provinces. The higher territorial rates are due to higher crime rates and the challenge of providing policing services in small and remote communities.

The Need for Partnerships

Reducing our high crime rate requires partnerships across government and with communities. This includes developing and implementing collaborative solutions to deal with the factors that lead to crime. Investment in the social, mental and physical health of our families and communities – with a focus on youth and those who are at risk – is critical to reducing violence and crime in our families and communities.

Recruitment & Retention

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[11] *Family Violence in Canada, A Statistical Profile*, Statistics Canada, Canadian Centre for Justice Statistics
[12] According to statistics collected by NWT Courts
[13] *Adult Criminal Court Statistics, 2006/2007*, Statistics Canada, Canadian Centre for Justice Statistics
[14] According to statistics collected by the NWT Legal Services Board
[15] According to statistics collected by the Community Justice Division of the Department of Justice
[16] *Police Resources in Canada, 2007*, Statistics Canada

Policing Services – Recruitment and retention is an ongoing challenge for the RCMP and the Department. The RCMP "G" Division provides policing services to NWT communities under a contract between the Department and the Government of Canada. "G" Division is part of a national police force and competes with other Divisions for officers to fill NWT positions. RCMP officers can elect to serve in the north, but they are not required or directed to do so. Like other professions in the NWT, it is difficult to recruit officers from southern Canada to serve in small, isolated communities. The Department and "G" Division continue to work together to recruit northerners to the RCMP, and to develop alternative community policing positions to supplement the policing services offered by the RCMP.

Legal Services – With economic growth in the NWT, there has also been an increased demand for legal services in both the public and private sector. The GNWT, the Legal Services Board and private law firms are all experiencing difficulties in recruiting experienced lawyers to the NWT. Economic activity in Alberta and other provinces has made recruitment of lawyers to the north even more challenging.

SERVICES TO GOVERNMENT

Description

"Services to Government" includes corporate management activities of the Directorate, Policy and Planning, and Finance. It also includes services provided to other GNWT departments, boards and agencies. Legal Division provides advice and representation to all GNWT departments and specified public agencies. Lawyers conduct litigation, provide legal opinions, and advise on a wide range of matters. One position is dedicated to prosecution of Territorial offences. GNWT bills and regulations are prepared by or under the direction of legislative drafters in Legislation Division, and legal translators prepare French versions of these documents. The Department is also responsible for providing advice and information on the *Access to Information and Protection of Privacy Act*.

2008/09 Resources

Budget:

Compensation & Benefits	$6,232,000
Grants & Contributions	$64,000
Other O&M	$2,317,000
Amortization	$47,000

Staffing (Positions):

Headquarters (HQ)	56
Regional/Other Communities	None

Major Program and Service Initiatives

Establishment of a Public Law Office – Justice has recently assumed active responsibility for the prosecution of offences under Territorial statutes, and one position (located in Legal Division) is dedicated to this. It is anticipated the Department will establish a Public Law section responsible for these prosecutions as well as other quasi-prosecutorial functions, such as default hearings under the *Maintenance Orders Enforcement Act* and compliance hearings under the *Liquor Act*.

Improvements to Access to Information and Protection of Privacy Functions – Justice has oversight on territorial *Access to Information and Protection of Privacy* (ATIPP) legislation. The Department will be working with GNWT public bodies to improve accountability and reporting of ATIPP administrative activities, including the preparation of an annual activity report. The Department will focus on providing supports to public bodies (and particularly access/privacy coordinators) by establishing committees to share best practices and improve administrative tools, updating policy documents, and providing training.

KEY ACTIVITY 1: LAW ENFORCEMENT

Description

Policing services are contracted to the RCMP through an agreement between the GNWT and the Government of Canada. There are also cost sharing programs with the Government of Canada with respect to the First Nations policing in support of aboriginal participation in policing. An agreement exists with Public Safety Canada to cost share DNA testing and analysis.

Major Program and Service Initiatives

Enhancements to Community Policing – Justice will work with the RCMP and communities to:

- Increase police presence in communities without RCMP detachments;
- Decrease the use and impact of illegal drugs by increasing community awareness and supporting police efforts to apprehend and prosecute offenders;
- Strengthen relationships between the RCMP and communities in order to build understanding and increase public confidence in the police;
- Strengthen support for victims of crime;
- Build understanding about family violence and support RCMP efforts to employ the highest standards when investigating and intervening in these matters;
- Explore options for the expansion of the federal First Nations Policing Policy in the NWT – federal funding could assist the RCMP and the GNWT in responding to community priorities and other initiatives; and
- Support efficient and transparent resolution of complaints against the RCMP.

Territorial Police Services Agreement – Justice will work with other provinces and territories to renegotiate the renewal of the Agreement, and ensure northern concerns and issues are brought to the table during the contract renewal process.

DNA Analysis Agreement – Justice will work with the federal government and other provinces/territories to develop a new governance and service model for DNA analysis.

2008/09 Budget:

Compensation & Benefits
None

Grants & Contributions
None

Other O&M
$29,444,000

Amortization
None

Staff (Positions):

HQ	None
Regional	None

Measures:

Measure 1
Number of days officers were on regular patrol in communities without detachments.

Measure 2
RCMP referrals to victim services.

Measure 3
Percentage of spousal violence cases where charges are laid.

KEY ACTIVITY 2: LEGAL AID SERVICES

Description

The Legal Services Board is established under the *Legal Services Act*, and is responsible for ensuring that all eligible persons in the NWT receive legal aid. The Board provides legal services for most criminal and family law matters, and some civil cases. It determines eligibility for legal aid in accordance with the parameters established by the *Legal Services Act* and its associated regulations. The Board is also responsible for the court worker program and public legal education.

Major Program and Service Initiatives

Legal Aid – Justice, in consultation with the Board, will work to modernize and improve the cost-effectiveness of the legal aid program. It is expected that this will require changes to the structure of the Board and new legislation to replace the current *Legal Services Act*.

Courtworkers – This program will be restructured. Research will be conducted to determine the feasibility of extending support to civil and family court matters, with a view to reducing reliance on lawyers.

Public Legal Information and Education – Brochures and booklets on common family law issues (such as the process for getting a divorce) will be produced, a series of booklets to assist self-represented litigants will be developed, and the Family Law Guide will be reviewed for possible updates. Information will be provided to the public on changes to territorial family laws.

2008/09 Budget:

Compensation & Benefits
$2,789,000

Grants & Contributions
None

Other O&M
$2,089,000

Amortization
$142,000

Staff (Positions):

HQ	None
Regional	23

Measures:

Measure 1
Number of applications for criminal and civil legal aid.

Measure 2
Backlog of family law legal aid cases.

KEY ACTIVITY 3: COURT SERVICES

Description

Four levels of court – Justices of the Peace, Territorial, Supreme and Appeal – collectively represent the judicial branch of government. The courts are independent of the executive (GNWT public bodies) and legislative (Legislative Assembly) branches of government.

The Court Services Division is responsible for providing administrative support to the courts. These support services ensure courts are accessible and impartial while providing services to all citizens in a timely manner.

Major Program and Service Initiatives

Access to Justice – Justice plans to improve information and forms available on the Courts website, enhance services provided in official languages, and research electronic filing capability.

Fine Collection – Justice will study other methods of collecting court-ordered fines. This work may involve legislative amendments.

Library – We will continue to examine how to improve access to library resources and materials, and find efficiencies in operations.

Territorial Court – A fourth judge will be appointed to the Territorial Court. This will ensure cases are addressed and resolved in a timely manner.

Court Models and Alternative Dispute Resolution – Justice will explore models for more efficient court structures, including alternative dispute resolution, specialized courts and other efficiencies in courts.

2008/09 Budget:

Compensation & Benefits
$5,699,000

Grants & Contributions
None

Other O&M
$4,079,000

Amortization
$225,000

Staff (Positions):

HQ	2
Regional	47

Measures:

Measure 1
Court processing time (amount of time involved in a court case, from first to last court appearance).

Measure 2
Number of sitting days by court and community.

KEY ACTIVITY 4: COMMUNITY JUSTICE AND CORRECTIONS

Description

The Corrections Division provides safe custody and detention for adult and youth offenders through the administration of facilities. The Division also delivers culturally relevant programs in support of offender rehabilitation, community supervision (parole and probation), and custodial placement programs (wilderness camps).

The Community Justice Division provides support to communities to develop and implement sustainable local justice programming in the areas of restorative justice, victim services, community policing and crime prevention.

Major Program and Service Initiatives

Corrections – Justice will improve the effectiveness and efficiency of the Corrections Service with the following initiatives:

- Examine facility and community programs to ensure they are needed and cost-effective;
- Review corrections services to determine what adjustments should be made to the current model for staffing, facility use, and resource investment, particularly in light of changes in the offender population and fiscal challenges;
- Work with other departments and community agencies to improve case-management approaches, and provide access to health/social services for offenders in facilities, on probation or parole, or during reintegration into their community; and
- Develop and implement a victim notification program.

Community Justice – Justice will work to extend community justice activities to all communities in the NWT, and carry out the following initiatives:

- Provide information, funding and training (based on research and best practices) to assist communities to develop and deliver sustainable, accountable and effective programming that focuses on local justice issues;
- Work with federal and community partners to improve and expand services to victims of crime; and
- Conduct research into, and increase awareness about, the impact of Fetal Alcohol Spectrum Disorder on the NWT justice system.

2008/09 Budget:
Compensation & Benefits
$23,615,000

Grants & Contributions
$2,061,000

Other O&M
$6,495,000

Amortization
$1,655,000

Staff (Positions):

HQ	9
Regional	217

Measures:

Corrections

Measure 1
Percentage of offenders with temporary releases revoked.

Measure 2
Number escapes or offenders unlawfully at large.

Measure 3
Percentage of offenders who successfully complete programs.

Community Justice

Measure 1
Percentage of communities active in community justice activities

Measure 2
Number of diversions.

Measure 3
Number of victims of crime who access services.

KEY ACTIVITY 5: SERVICES TO THE PUBLIC

Description

"Services to the Public" includes a number of programs and services that are accessible to all residents. This includes services available from the following territorial offices:

- Public Trustee Office;
- Coroner's Office;
- Rental Office;
- Legal Registries (land titles, corporation personal property registries, regulation in securities trading)
- Maintenance Enforcement Office; and
- *Protection Against Family Violence Act* administration.

Major Program and Service Initiatives

Justice plans to continue to make improvements to its services to the public. This will include implementing recent amendments to the *Maintenance Orders Enforcement Act* and the *Residential Tenancies Act* and consideration of new legislation in support of community safety.

Protection Against Family Violence – Justice will continue to develop and strengthen partnerships with police and communities in order to improve the response to family violence. This will include training, public information, evaluation related to the *Protection Against Family Violence Act*, and work with partners on the implementation of Phase II of the Family Violence Action Plan.

Legal Registries – Justice will replace the current Corporate Registries databases and develop a new Land Titles database, each with remote searching capability to improve public access to the registry data information. Justice will also collaborate with other provinces and territories to improve the regulation of securities trading. This will include implementing a new *Securities Act* in the NWT, which will reform the system for the registration of dealers and advisors, streamline regulatory decision making, and introduce measures to improve securities law enforcement.

2008/09 Budget:

Compensation & Benefits
$2,739,000

Grants & Contributions
$105,000

Other O&M
$921,000

Amortization
155,000

Staff (Positions):

HQ	2
Regions	30

Measures:

Measure 1
Rental Office – time between filing application and hearing.

Measure 2
Maintenance Orders Enforcement Act – Percentage of family support collected.

Measure 3
Protection Against Family Violence Act – Number of EPOs applied for and granted.

STRATEGIC INITIATIVE: BUILDING OUR FUTURE
Action: Increase Safety and Security

Description

Enhance Policing Services – Justice will enhance resources to the RCMP for the application of the RCMP backup policy. Under this policy, RCMP members serving in the NWT will be provided the appropriate backup when investigating serious situations in all communities in the NWT. This backup will be provided in a manner that is safe for all involved, effective, and makes the best use of resources. In addition, work will be undertaken with the RCMP and communities to explore options for alternatives to regular RCMP members, including special constables.

Policing in Small Communities – Justice will work with the RCMP to increase police presence in the smaller NWT communities, specifically in the 10 communities without resident RCMP members: Dettah, Colville Lake, Tsiigehtchic, Nahanni Butte, Wekweètì, Enterprise, Kakisa, N'Dilo, Trout Lake and the Hay River Reserve. Potential options to achieve this include creating additional detachments, increasing relief unit capacity, increasing the number and length of patrols to the communities, or augmenting the existing enforcement personnel with RCMP special constables. Special constables will fill the role of community safety officers with expanded training and authorities. They will primarily act as a liaison between the RCMP and the community; however, the expanded authorities will include assisting in investigations, acting as backup and assisting in general police duties.

South Slave Drug Interception Team – Justice plans to work with the RCMP and the federal government to establish a South Slave Drug Interception Team in Hay River. This team will target issues associated with illegal drug trafficking, especially illegal drugs coming into the NWT from the provinces. This activity would support other efforts to address alcohol/drug addiction and associated crime in our communities by reducing the supply of drugs to the NWT.

As drug enforcement is a federal responsibility, funding for this team would be requested from the federal government. The federal government would also need to agree to add additional federal drug enforcement officers in the NWT. As part of this initiative, the GNWT would agree to pay for an additional police dog and handler to be located in the South Slave.

Reducing Drug and Alcohol – Justice will work with other social envelope departments to develop a role model program and awareness campaign that provides youth with the opportunity to learn from the experience of others who have overcome a past history of drug and alcohol abuse and/or criminal behaviour. This program will complement activities of the *Healthy Choices Framework* and will be closely tied to the communications work on the dangers of crystal methamphetamine and other hard drugs.

Objectives

Enhance Policing Services

Objective 1 To increase the safety and security of RCMP members serving in the NWT.

Objective 2 To increase the number of RCMP officers available to provide backup.

Policing in Small Communities

Objective 1 To increase police presence at the community level.

Objective 2 To increase involvement of local residents as members in the RCMP.

Objective 3 To increase community safety.

South Slave Drug Interception Team

Objective 1 To decrease the cross-border flow of illegal drugs into the NWT.

Objective 2 To increase RCMP capacity to address illegal drug activity.

Objective 3 To increase awareness about the dangers of illegal drug use.

Reduce Drug and Alcohol Related Crime

Objective 1 To increase awareness among youth about the negative impact of alcohol and drugs and more specifically about the dangers of "crystal meth".

Objective 2 To increase the number of youth who participate in awareness programs focused on the negative impact of drugs and alcohol.

Action Plan

Enhance Policing Services

2008/10 Implement backup policy. Establish a long-term plan that will ensure members servicing small community detachments are not continually on shift or on standby.

2010/12 Increase resources to enhance the NWT's eight two-member detachments.

Policing in Small Communities

2008/09 Work with RCMP to develop options for increasing police presence. Look at feasibility of special constable program.

2009/10 Identify resources to implement options, including funding for the implementation of a special constable pilot project.

2010/12 Implement options.

South Slave Drug Interception Team

2008/09 Work with RCMP to present business case for dog unit in Hay River. Work with federal government to identify funding for two additional drug enforcement officers.

2009/10 Efforts will be made to hire a multi-purpose dog and handler for South Slave.

2010/11 Fully implement drug interception team for South Slave.

Reducing Drug and Alcohol Related Crime

2008/09 Develop an awareness program and materials in the areas of addictions, injury prevention and high-risk behaviour, with support of the federal government and in collaboration with HSS, MACA and ECE.

2009/10 Development role model program in consultation with the *Healthy Choices Framework* and partnering departments of HSS, MACA and ECE.

2010/11 Implement program with role models visiting communities to speak to youth.

2011/12 Deliver, review and evaluate program.

STRATEGIC INITIATIVE: BUILDING OUR FUTURE

Action: Implement Phase II of the Framework for Action on Family Violence

Description

Program for Men Who Abuse – Justice will research, develop and implement an abuser program for men to address behaviour related to family violence. The program will include positive community reintegration and follow-up, and will be available on a voluntary and/or mandatory basis. The program is part of a broad government and community response to family violence.

Objectives

Objective 1: To increase opportunities for participation in programs aimed at men who abuse.
Objective 2: To decrease the incidence of violence against family members.

Action Plan

2008/09	Research and develop potential models for abuser programs: identify and access available federal funding.
2009/10	Review research and identify program components in collaboration with HSS and the Coalition Against Family Violence. Work collaboratively to develop program for the NWT.
2010/11	Plan for implementation: hire and train staff, prepare evaluation framework, develop communications plan.
2011/12	Pilot and evaluate the program in at least one community.

STRATEGIC INITIATIVE: MANAGING THIS LAND
Action: Continue to Develop Governance

Description

Devolution – Justice will provide legal support to the Department of Executive on discussions concerning devolution. Legal counsel will participate in devolution and resource revenue sharing negotiations with Canada to facilitate the transfer of responsibility for land and resource management to the territorial government.

Justice Resources to Participate in Land, Resources and Self-Government Agreements – Justice will provide legal support to the Department of Aboriginal Affairs and Intergovernmental Relations (specifically the land claim and self-government negotiation teams). Legal counsel will attend negotiation sessions, advise on and draft various agreements, and provide oral and written legal advice to the Chief and Assistant negotiators as required.

Objectives

Devolution

Objective To ensure that the GNWT has legal advice and support to assist with the negotiation and drafting of related agreements and implementation plans.

Justice Resources to Participate in Land, Resources and Self-Government Agreements

Objective To ensure that the GNWT has legal advice and support to assist GNWT's land claim and self-government negotiation teams.

Action Plan

Advance Devolution Discussions

2008/12 Provision of legal support in the negotiations leading up to the Devolution Agreement-in-Principle. Approval of Devolution Agreement-in-Principle and legal support in the negotiations leading up to a Final Devolution Agreement, including related agreements and implementation plans.

Justice Resources to Participate in Land, Resources and Self-Government Agreements

2008/12 Provision of legal support to GNWT in land claim and self-government negotiations.

STRATEGIC INITIATIVE: MAXIMIZING OPPORTUNITIES
Action: Maximize Benefits from Resource Development

Description

MGP Strategic Investment – Mackenzie Gas Project (MGP) strategic investments will help position communities, businesses, and residents in the NWT to take advantage of opportunities associated with the MGP as well as address any potential negative impacts from the project.

Justice will mitigate the impacts of large-scale resource development on the NWT justice system by planning for resource needs and fulfilling commitments made during the environmental regulatory processes.

Objectives

Objective 1 To increase RCMP presence and strengthen the role of communities in prevention and enforcement during the construction phase of the MGP.

Objective 2 To mitigate any adverse impacts of the MGP on the justice system by providing sufficient resources.

Action Plan

2008/10 Coordinate, plan and implement security and safety measures (protocols, procedures) with the RCMP, MGP proponents, and communities prior to the project start date 2011.

2009/10 Identify and secure adequate Justice resources to meet the anticipated demands of the project prior to the fiscal year 2010/11.

INFRASTRUCTURE INVESTMENTS

- Various minor capital projects to properly maintain existing court, correctional and office facilities.

LEGISLATIVE INITIATIVES

The following is a preliminary list of legislative initiatives. Unless noted, these initiatives have not been reviewed by Cabinet or introduced in the Legislative Assembly.

Act	Main Elements of Legislative Problem and Proposed Solution
Amendments to Existing Legislation	
Maintenance Orders Enforcement Act	Amendments to strengthen enforcement tools and make the Act more consistent with similar legislation across Canada. (Note: Amendments received assent in the Legislative Assembly in June 2008.)
Residential Tenancies Act	Various administrative amendments to ensure that disputes are resolved faster and provide effective remedies to both landlords and tenants. (Note: Amendments received assent in the Legislative Assembly in June 2008.)
Legal Profession Act	Amendments to update the discipline process for members of the Law Society of the NWT. (Note: Amendments received assent in the Legislative Assembly in October 2008.)
Exemptions Act	Amendments to increase the exemption amounts relating to property and wages to reflect the value of basic necessities for debtors; amendments will also be made to the types of property that would be exempt from seizure.
Summary Conviction Procedures Act	Amendments to eliminate the uncontested trials for summary offence ticket information and permit the Justice of the Peace or Territorial Judge to enter a conviction in default where a person fails to voluntarily pay the fine or appear in court. Amendments to provide for additional fine collection methods.
Children's Law Act relating to status of the child/parentage	Amendments to include a definition of "parentage". This is necessary to determine the legal status of a child and define the rights and obligations of parents. Amendments would also change provisions that currently raise equality issues (e.g. registration of births to same-sex couples).
Evidence Act	Amendments to address an inconsistency between the Act and the federal *Canada Evidence Act* regarding child witnesses, to address the use of electronic evidence, and to allow for uniform law regarding public apologies.
Arbitration Act	Amendments to update the Act, as it has not been substantially amended since 1949, and to establish the kinds of powers and remedies that arbitrators can grant in most jurisdictions.
Youth Justice Act	Amendments to ensure consistency with amendments to the federal *Youth Criminal Justice Act* (if such legislation is advanced by the federal government).

Act	Main Elements of Legislative Problem and Proposed Solution
New Legislation	
Securities Act	A new Act based on a model developed jointly by NWT, PEI, Nunavut and Yukon. The model is intended to include a wide range of changes to support a coordinated national approach to securities regulation. (Note: The coming-into-force date is October 26, 2008.)
Settlement of International Disputes Act	A new Act to adopt the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States.
International Interests in Mobile Aircraft Equipment Act	A new Act to adopt the Convention on International Interests in Mobile Equipment and Protocol on Matters Specific to Aircraft Equipment.
Legal Services Act	A new Act to improve the operation of the Board, clear up confusing and ambiguous provisions regarding the roles and responsibilities of the Board and Executive Director, and improve the structure ofthe Act.
Safer Communities & Neighbourhoods Act	A new Act to provide a complaint-based civil remedy to reduce activity related to illegal drugs, bootlegging, prostitution, illegal gambling, child sexual exploitation and illegal use of intoxicating substances.
Canadian Public Accountancy Board legislation	A new Act to provide statutory authority and protection for members of the Canadian Public Accountancy Board with respect to their authority to oversee the auditing and accounting of public issuers.
Securities Transfer Act	A new Act to govern the transfer and holding of securities and interests in securities (part of a comprehensive system of rules for the transfer of securities, particularly the electronic transfer of securities across provincial/territorial and international borders).
Professional Corporations Act	A new Act to allow members of regulated professions (e.g. lawyers, accountants and certain medical professionals) to incorporate where they are not currently permitted to do so, provided that members' professional responsibilities and liability for errors and wrongdoing are unaltered. (Note: A proposed bill was introduced in the fall of 2008.)
Electronic Commerce Act	A new Act designed to implement the principles of the UN Model Law in Canada (all provinces and territories, except the NWT, have enacted this legislation). This legislation will remove barriers to the use of electronic communications by government and the private sector.
Victims of Crime Act	A new Act to replace the existing Act that would harmonize provisions with the principles contained in the national Victims Bill of Rights, and amend sections dealing with fine surcharges that are inconsistent with the *Youth Criminal Justice Act* and the *Criminal Code of Canada*.